

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHERN DISTRICT

CYNTHIA K. HAYNES
(a/k/a Cynthia K. Randolph),
individually and under the Missouri Wrongful
Death Statute,

Plaintiffs,

V.

Cause No. 1:21-CV-00160-ACL

JENNIFER WILLIAMS, individually

JENNIFER WILLIAMS,
d/b/a WILLIAMS LAW

JURY TRIAL DEMANDED

SPAIN, MILLER, GALLOWAY & LEE, LLC
A Missouri limited liability company,

BERNICE HAYNES, individually, and

CHARLES HAYNES, individually,

Defendants.

DEFENDANT CHARLES HAYNES'S MOTION TO DISMISS

COMES NOW Defendant Charles Haynes, by and through undersigned counsel, and respectfully moves for the entry of an Order dismissing Count VII of the Plaintiff's Amended Complaint with prejudice, pursuant to Federal Rules of Civil Procedure 12(b)(6) and Local Rule 4.01. In support of the Motion to Dismiss, Defendant Charles Haynes states as follows:

1. In Count VII of her Amended Complaint, Plaintiff Cynthia Haynes, alleges that Defendant Charles Haynes (hereinafter “Charles”) caused the suicide of his daughter, M.H.

2. Plaintiff's claim against Charles is brought under the Missouri Wrongful Death Statute.

3. The claim against Charles should be dismissed because Count VII fails to state a claim for which relief can be granted.

4. Plaintiff has not and cannot allege facts to meet the proximate cause standard in a wrongful death suicide case.

5. For these and other reasons discussed in Charles's Memorandum in Support, the claims against Charles, Count VII of the Plaintiff's Amended Complaint, should be dismissed.

WHEREFORE, Defendant Charles Haynes prays that the Court grant his Motion to Dismiss, and for such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

HARTMANN, DUFFE & PEGRAM LAW, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on March 23rd, 2022, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all attorneys of record.